

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-17 are pending. Claim 1-3, 8-11 and 15-17 are independent, and hereby amended. No new matter has been added. Support for this amendment is provided throughout the Specification as originally filed and specifically on pages 19 (paragraphs [0068]-[0069] of the published application). It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-12 and 14-17 were rejected under 35 U.S.C. §103(a) as allegedly anticipated by U.S. Patent No. 7,188,355 to Prokopenko et al. (hereinafter, merely “Prokopenko”) in view of U.S. Patent No. 5,848,396 to Gerace (hereinafter, merely “Gerace”), in further view of U.S. Patent No. 7,260,823 to Schlack et al. (hereinafter, merely “Schlack”), in further view of U.S. Patent No. 6,711,676 to Zomaya et al. (hereinafter, merely “Zomaya”).

Claim 13 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Prokopenko in view of Schlack, in further view of Gerace, in further view of Zomaya, and in further view of U.S. Patent No. 6,381,369 to Kondo et al. (hereinafter, merely “Kondo”).

### III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

**“...selecting means for selecting, based on the user preference information obtained by the analysis by said analyzing means, optimal procedures about image quality and sound quality for users of the information processing apparatuses...”** (Emphasis added)

As understood by Applicants, Zomaya relates to a system and method for providing computer upgrade information based upon component-related data present on a client computer.

Applicants submit that neither Prokopenko nor Gerace nor Schlack nor Zomaya, taken alone or in combination, teaches or suggests the above discussed feature of claim 1. Specifically, none of the cited references teaches or suggests **selecting means for selecting, based on the user preference information obtained by the analysis by said analyzing means, optimal procedures about image quality and sound quality for users of the information processing apparatuses,** as recited in claim 1.

Specifically, the Office Action asserts that Prokopenko teaches the set of recommendations being sent to the Avatar manager as the optimal procedure, and refers to column 9, lines 66-67, which describe “the list of recommended programs 67 is sent from the recommendation module 40 to the avatar manager 38”.

However, Applicants submit that **in Prokopenko, the recommended program is selected based on the viewer recommendation.** Thus, Prokopenko's recommended program has nothing to do with, and bears no resemblance to, Applicants' optimal procedures about image quality and sound quality.

In the present invention, page 19, paragraphs [0068]-[0069] of Applicants' corresponding published application, describe the optimal procedures about image quality and sound quality, and are reproduced as follow:

[0068] While the user terminal 2a stores the operation information or the input signal in step S22, the center (manufacturer) performs research and development on a new product or function. The center processing apparatus 1 acquires the information provided by the user terminal 2a in step S2, and analyzes the acquired information in step S3. The center processing apparatus 1 optimizes processing so that the researched and developed new product or function can match preferences of the user of the user terminal 2a. For example, when the result of analyzing the acquired information in step S3 indicates that the user of the user terminal 2a tends to like high resolution images, programs, parameters, etc., of the new product or function are selected so as to be optimal for image-resolution increasing processing.

[0069] In step S4, the center processing apparatus 1 produces a product or circuit board to which a new function, that is, a function reflecting the result of the analysis of the user, is added, and provides the product or circuit board to the user.

Thus, **in the present invention**, based on the user preference information such as high resolution image, a product having a new function of **the optimal procedures about image quality and sound quality** is provided to the user.

Thus, nothing has been found in Prokopenko that would teach selecting means for selecting, based on the user preference information obtained by the analysis by said analyzing means, optimal procedures about image quality and sound quality for users of the information processing apparatuses, as recited in claim 1.

Furthermore, this deficiency of Prokopenko is not cured by the supplemental teaching of Gerace or Schlack or Zomaya.

Therefore, Applicants respectfully submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, the independent claims 2, 3, 8-11 and 15-17 are also patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

#### **CONCLUSION**

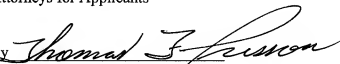
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request reconsideration and early passage to issue of the present application.

Respectfully submitted,

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